

ORAL AND VIDEOTAPED DEPOSITION OF SHEENA NICKELBERRY

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

C.M. COLLINS, N.J. LUNDY	*
AND R.C.L. MAYS,	*
INDIVIDUALLY AND ON	*
BEHALF OF ALL OTHERS	*
SIMILARLY SITUATED,	*
PLAINTIFFS,	*
	* CIVIL ACTION
VS.	* NO. 4:22-CV-1073
	*
CATASTROPHE RESPONSE	*
UNIT, INC. AND	*
CATASTROPHE RESPONSE UNIT	*
USA, INC.,	*
DEFENDANTS.	*

ORAL AND VIDEOTAPED DEPOSITION OF
SHEENA NICKELBERRY
SEPTEMBER 15, 2023

ANSWERS AND DEPOSITION of SHEENA NICKELBERRY, a witness produced on behalf of the Defendant, taken in the above styled and numbered cause on the 15th day of September, 2023, from 1:05 p.m. to 7:35 p.m. before Kathy Bradford, a Certified Court Reporter in and for the State of Texas, reported by machine shorthand, with all parties and the witness appearing remotely taken in accordance with the Federal Rules and the provisions stated on the record or attached hereto

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1 going to discuss it.

2 A. Okay.

3 Q. Do you see regarding Request For Admission
4 Number 5 "Nickelberry could not work another job while
5 working for CRU"?

6 A. Uh-huh.

7 Q. Do you see that?

8 A. Yes.

9 Q. Is that true?

10 A. Is what true?

11 Q. That you could not work another job while
12 working for CRU.

13 A. Oh, yeah, they told us that.

14 Q. Well, hold on. We're going to get to whether
15 they told you that.

16 A. Okay.

17 Q. But -- but is it your sworn testimony that
18 you were not able to work another job while working
19 for CRU?

20 A. Right.

21 Q. Is that correct?

22 A. Right.

23 Q. Not right. Is it -- is that correct?

24 A. That is correct. That's what --

25 MR. O'BRIEN: It might --

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1 A. -- I meant by --

2 THE WITNESS: All right.

3 MR. O'BRIEN: Never mind.

4 MR. HURST: Okay. I -- I need a clean
5 record of this so --

6 MR. O'BRIEN: Sure. I don't think that
7 was unclear, but that's fine.

8 Q. (BY MR. HURST) Okay. So is it correct,
9 Ms. Nickelberry, that you were not able to work
10 another job while working for CRU?

11 A. Right.

12 Q. Is that in reference to each one of your six
13 CRU deployments?

14 A. It never came up in the beginning; but at the
15 end, two deployments working for CRU/TD, it was.

16 Q. Is it your testimony, ma'am, that you did not
17 work another job while you were working for CRU?

18 A. I don't remember that.

19 Q. You don't remember working for State Farm at
20 the same time as you were a desk adjuster at CRU?

21 A. No.

22 Q. Is there someone at CRU who told you that you
23 were not allowed to work at another job while working
24 for CRU?

25 A. It was several people.

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10

11

12

13 REPORTER'S CERTIFICATION
14 ORAL AND VIDEOTAPED DEPOSITION OF
15 SHEENA NICKELBERRY
16 SEPTEMBER 15, 2023

17

18 I, KATHY BRADFORD, Certified Shorthand Reporter in and
19 for the State of Texas, hereby certify to the
20 following:

21 That the witness, SHEENA NICKELBERRY, was duly sworn
22 by the officer and that the transcript of the oral
23 deposition is a true record of the testimony given by
24 the witness;

22

23 That the time used by the parties is as follows:

23

 Mr. Hurst -- 5:30

24

 Mr. O'Brien - 11 minutes

25 That a copy of this certificate was served on all

ORAL AND VIDEOTAPED DEPOSITION OF SHEENA NICKELBERRY

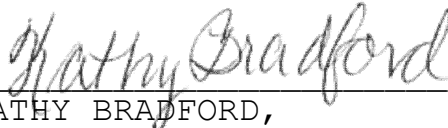
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1 _____.

2 I further certify that pursuant to FRCP Rule 30(e)(1)
3 that the signature of the deponent was either not
4 requested by the deponent or a party before the
5 completion of the deposition or was waived based on
6 the agreement of counsel.

7 I further certify that I am neither attorney or
8 counsel for nor related to or employed by any of the
9 parties to the action in which this deposition is
10 taken, and further that I am not a relative or
11 employee of any attorney or counsel employed by the
12 parties hereto or financially interested in the
13 action.

14 Certified to by me this 29th day of September, 2023.

15 



16 KATHY BRADFORD,
17 Certified Shorthand Reporter
18 in and for the State of Texas.
19 Certification Number: 3082
20 Date of Expiration: 7-31-2025
21 Firm Registration Number 38
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